

**REMARKS**

Applicants respectfully ask for reconsideration of both this application and the Office Action dated April 17, 2006. A response to this Office Action was due by July 17, 2006. Applicants submitted a Notice of Appeal on October 17, 2006, together with a Petition for a three month extension of time. In addition, this Amendment is being submitted concurrently with both a Petition for a five month extension of time and a Request For Continued Examination. Please consider this Amendment as timely filed.

Applicants gratefully acknowledge the personal interview granted by the Examiner on Friday, May 4, 2007. This Amendment is presented in accordance with the substance of that personal interview. Specifically, claim 1 is amended herein to incorporate the subject matter of claim 2. Claims 3, 6 and 7 then are amended to depend from claim 1, while claims 4 and 5 are amended to depend from claim 3. Similarly, claim 11 is amended to depend from claim 12, and claims 13, 16 and 17 are amended to depend from claim 11. Lastly, claim 21 is amended to more particularly recite that the input modifying the indicator to associate a second group of the plurality of characters into the segment is from a user.

In the Office Action, the Examiner repeated the rejection of claims 1-25 under 35 U.S.C. §101, for purportedly being directed to software *per se*. Applicants again point out that the basis for this rejection is wholly inapplicable to claims 21-25, which recite the steps of a method. Specifically, Applicants respectfully urge that method claims cannot recite software *per se*.

With regard to claims 1, 3-11, and 12-25, Applicants again respectfully traverse this rejection, and ask for its reconsideration. It is courteously submitted that the Primary Examiner's

rejection is in direct conflict with the “Interim Guidelines For Examination Of Patent Subject Matter Eligibility” issued by the U.S. Patent and Trademark Office October 26, 2005. In particular, Applicants invite the Examiner’s attention to page 15, lines 16-23, which state:

For example, a claimed invention may be a combination of devices that appear to be directed to a machine and one or more steps of the functions performed by the machine. Such instances of mixed attributes, although potentially confusing as to which category of patentable subject matter is belongs in, does not affect the analysis to be performed by the examiner. Note that an apparatus claim with process steps is not classified as a “hybrid” claim; instead, *it is simply an apparatus claim* including function limitations. See, e.g., R.A.C.C. Indus. v. Stun-Tech, Inc., 178 F.3d 1309 (Fed. Cir. 1998) (unpublished). (*Emphasis added.*)

In making this rejection, the Primary Examiner stated:

A tool for associating characters non-statutory [sic] is not qualified for useful [sic] process and machine. The tool is not apparatus [sic], it is a program per se. It is not embodied tangibly throughout [sic] it has a tangible result. It is not in itself tangible.” (See final Office Action, page 2, lines 8-11.)

Applicants again courteously point out that the Primary Examiner’s assertions are improper.

First, Applicants invite the Primary Examiner’s attention to Applicants’ specification. The specification expressly teaches that a tool for associating characters accordingly to the invention may be implemented by a programmable computer. (See, e.g., paragraph 31.) A computer is clearly a tangible item, and thus patentable subject matter under 35 U.S.C. §101.

Second, Applicants respectfully submit that the Primary Examiner’s position is contradicted by the references cited by the Examiner against the claims. For example, like claim 1 of the instant application, each item recited in claim 1 of U.S. Patent No. 5,526,259 to Kaji et al. is a module (i.e., “a source text analysis and bilingual dictionary retrieval module,” “a phoneme recognition module,” and “a phoneme to character conversion module”). Nonetheless,

claim 1 of the Kaji et al. patent was deemed patentable under 35 U.S.C. §101. Claim 1 of U.S. Patent No. 4,980,840 to Yin recites a “system” rather than an “apparatus.” Despite not expressly reciting an apparatus, however, this claim also was deemed patentable under 35 U.S.C. §101.

Applicants reiterate that each of the pending claims recites a method or apparatus that produces a useful, tangible result and thus recite statutory subject matter as set forth in the “Interim Guidelines For Examination Of Patent Applications For Patent Subject Matter Eligibility” which the U.S. Patent and Trademark Office published on October 26, 2005. It is therefore again urged that each of claims 1-25 is patentable under 35 U.S.C. §101, and Applicants therefore ask that the rejection of these claims under 35 U.S.C. §101 be withdrawn.

Next, claims 1-25 again were rejected under 35 U.S.C. §103 over U.S. Patent No. 4,980,840 to Yin in view of U.S. Patent No. 5,526,259 to Kaji et al. Applicants respectfully traverse this rejection, and courteously ask for its reconsideration. Applicants respectfully point out, however, that this rejection is now moot. As acknowledged by the Primary Examiner during the personal interview on May 4, 2007, no combination of the Yin and Kaji et al. patents would teach or suggest a tool having the features of the claimed invention, including a user interface that allows a user to designate the segmentation of characters by the segmentation module, the user interface, with the user interface displaying a plurality of characters and providing an indicator indicating which of the plurality of characters are associated together into the segment, as recited in claims 1, 3-11, and 13-20. Likewise, as acknowledged by the Primary Examiner in the personal interview on May 4, 2007, no combination of the Yin and Kaji et al. patents would teach or suggest a method of associating two or more characters into a segment having the

features of the claimed invention, including receiving input from a user modifying the indicator to associate a second group of the plurality of characters into the segment as recited in claims 21-25.

In summary, no combination of the Yin and Kaji et al. patents would teach or suggest the features of the invention recited in any of claims 1, 3-11, and 13-25. Applicants therefore request that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

It is believed that no fees are due for the entry and consideration of this Amendment. If, however, the Commissioner believes that fees are required, the Commissioner is hereby authorized to charge any fees deemed necessary to maintain the pendency of this application, including any fees under 35 U.S.C. §1.16 and §1.17, to the deposit account of the undersigned, Deposit Account No. 19-0733.

In view of the above remarks, Applicants respectfully submit that all of the claims are allowable, and that this application is therefore in condition for allowance. Applicants courteously ask for favorable action at the Examiner's earliest convenience.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:                     /Thomas L. Evans/                      
Thomas L. Evans, Reg. No. 35,805  
1001 G Street, N.W., 11<sup>th</sup> Floor  
Washington, D.C. 20001-4597  
Telephone: (202) 824-3000  
Facsimile: (202) 824-3001

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